

Amendments to the Drawings:

The attached replacement drawing sheet makes changes to Fig. 2 and replaces the original sheets with Fig. 2.

Attachment: Replacement Sheet

REMARKS

Claims 1-16 are pending in this application. By this Amendment, claim 1 is amended. No new matter is added. Reconsideration of this application is respectfully requested.

I. Objection to the Drawings

The Office Action objects to Fig. 2 for containing foreign language. This objection is respectfully traversed.

As amended, Fig. 2 satisfies the requirements set forth in 37 C.F.R. § 1.121(d).

Withdrawal of the objection is respectfully requested.

II. Objection to the Specification

The Office Action objects to the disclosure and the Abstract. More specifically, the Office Action objects to paragraph [0044] line 1 for reciting “film”; paragraph [0103] for referring to Fig. 4 100; and paragraph [0105] for referring to Fig. 4 102. The specification is amended as suggested by the Office Action. The Abstract is also amended to have no more than 150 words. Thus, the objections are overcome.

Withdrawal of the objections is respectfully requested.

III. Claim Rejections under 35 § U.S.C. 103

The Office Action rejects claims 1-10 and 13 under 35 U.S.C. § 103(a) over U.S. Patent No. 6,996,627 B1 (Carden) in view of U.S. Patent Publication No. 2002/0127000A1 (Yamato); and rejects claims 11 and 12 under 35 U.S.C. § 103(a) over Carden in view of Yamato, and further in view of U.S. Patent Application No. 2003/0159151 A1 (Ikeda).

As amended, claim 1 more clearly defines that it is the broadcast that is made according to a schedule and not the recording of the audiovisual content. Furthermore, the order of the steps has been modified so as to reflect the chronological order.

The presently claimed invention is directed to the recording of audiovisual contents broadcast according to a schedule. The term “broadcast” as used means that the audiovisual

contents are not transmitted to a specific access terminal but are transmitted widely on a transmission medium. Page 1, lines 10-13 of the specification provides examples of transmission mediums: satellite, cable, territorial radio transmission or the Internet.

The term “according to a schedule” as used means that the time of the broadcasting is predetermined and that a user of an access terminal cannot modify this schedule. The schedule for broadcasting the contents is independent from the access terminals which receive this content.

To facilitate the recording of the broadcasted audiovisual contents, the method uses an audiovisual content presentation server. This content presentation server is also known as an Electronic Program Guide (EPG). The EPG makes it easier to select the audiovisual contents to be recorded by generating a record file. The record file and the audiovisual content are two distinct items. These features, and the benefit its associated therewith, are not disclosed by the applied references. Furthermore, one of ordinary skill in the art would not have been motivated to combine the applied references as suggested.

With respect to the applied reference Carden, the object of Carden is the transmission, on request by a user (see column 4, line 38), of media items 114 stored on a media server 112 (see column 4, line 37) to a client computer 100. Carden recites “[e]ach of the media items 114 is associated with selected program information items 102” (see column 4, line 38) and “[t]he program information items 102 may be periodically transmitted to the client computer 100 even absent a specific request from the client for such information” (see column 4, lines 51-54).

Therefore, it is clear that the technical fields of the presently claimed invention and that of Carden are different. More specifically, the presently claimed invention is directed to audiovisual contents broadcast according to a schedule and an EPG, while Carden is directed

to audiovisual contents unicast on demand to a client computer, for example, by using streaming. As a result, Carden is not analogous art.

Nonetheless, even if one would have some how combined Carden with Yamato and/or Ikeda, the presently claimed invention still would not have been achieved. That is, Carden, alone or with Yamato and Ikeda, does not disclose each and every feature of claim 1. In particular, media items 114 does not constitute an audiovisual content being broadcast according to a schedule because the media items are transmitted on request by a user; and should program information items 102 be compared to “audiovisual contents being broadcast according to a schedule” because they are *periodically transmitted to the client computer*, Carden does not disclose any record file containing information items 102 to the client computer. Furthermore, the program information items 102 are unicast to a client computer and not broadcast. That is, the applied references, in any combination, fail to teach or suggest, a method of recording audiovisual contents, the contents being broadcast according to a schedule predetermined by a content broadcaster, as recited in claim 1.

Furthermore, in the first paragraph of page 5 of the Office Action, the Office Action compares the program information items 102 of Carden with audiovisual contents to be recorded of the presently claimed invention; in the beginning of the second paragraph of page 5 of the Office Action, the Examiner compares the media items 114 of Carden with audiovisual content to be recorded of present claim 1; in the end of the second paragraph of page 5, the Examiner compares the program element 202 of Carden with audiovisual content of present claim 1. It appears that the Office Action alternatively alleges that the audiovisual content corresponds to the information items 202, the media items 114, and the program element 202 of Carden. Furthermore, in the end of the second paragraph of page 5, the Office Action compares the program element 202 of Carden with audiovisual content of present

claim 1 and in the end of the first paragraph of page 6, the Office Action compares the program element 202 of Carden with record file of claim 1.

Applicant's respectfully submit that it is erroneous to allege that the program element 202 corresponds to both the audiovisual content and the record file because in the presently claimed invention, the record file and the audiovisual content are two distinct items. The argument of the Office Action fails to demonstrate that Carden discloses, teaches or suggest all of the features of claim 1.

As discussed above, Carden is nonanalogous and irrelevant to the presently claimed subject matter. According to the Office Action, Yamato fails to disclose each and every characteristic of claim 1. Consequently, it would not have been obvious to one of ordinary skill in the art at the time of the invention to obtain the method of claim 1 by combining Carden and Yamato.

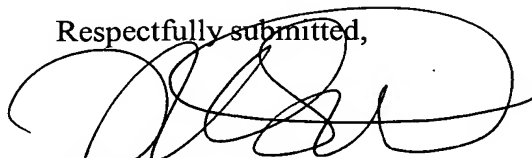
Ikeda fails to cure the deficiencies of Carden and Yamato. Thus, the applied references, in any combination, fail to teach or suggest the subject matter of claim 1, or the claims depending therefrom. Withdrawal of the rejections is requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:LMS/dqs

Attachments:

Substitute Abstract
Replacement Sheet (Fig. 2)

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